



Office of
the Schools
Adjudicator

Determination

Case reference: ADA4644

Objector: A member of the public

Admission authority: The governing body for Old Swinford Hospital

Date of advice: 4 September 2026

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements determined by the governing body for Old Swinford Hospital for 2027/28.

By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of this determination.

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998 (the Act), an objection has been referred to the adjudicator by a member of the public (the objector), about the admission arrangements for 2027/28 for Old Swinford Hospital (the arrangements). Old Swinford Hospital (the School or OSH) is a foundation school for children aged between 11 and 18 years old. It has a boarding facility and a Church of England religious character. The School is located in Stourbridge in the West Midlands.

2. Dudley Metropolitan Borough Council (the local authority) is the local authority for the area in which the School is located. The parties to the objections are:

- a. the objector;
- b. the local authority;
- c. the Diocese of Worcester which is the faith body for the School (the faith body); and
- d. the governing body for the School as the admission authority.

3. The objection is to a variety of matters in the arrangements which may be unclear.

Jurisdiction

4. These arrangements were determined under section 88C of the Act by the governing body. The objector submitted their objection to the determined arrangements on 12 May 2026. The objector has asked to have their identity kept from the other parties and has met the requirement of Regulation 24 of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 by providing details of their name and address to me.

5. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and it is within my jurisdiction.

6. In the interest of dealing speedily with this and other objections, I have not considered other aspects of the arrangements. Therefore, nothing in this determination should be taken as indicating that other aspects of the arrangements do or do not conform with the requirements relating to admissions.

Procedure

7. In considering this matter I have had regard to all relevant legislation and the Code.

8. The information I have considered in reaching my decision includes:

- a) the objection;
- b) extracts of the minutes of the meeting of the governing body on 5 December 2025 at which the arrangements were determined;
- c) the determined arrangements for 2027/28;
- d) responses from the governing body and the faith body to my enquiries;
- e) the Department for Education guidance: School applications for foreign national children and children resident outside England: Advice for state-funded school admission authorities, independent schools, local authorities and parents (last updated March 2024), which I will refer to as the DfE guidance; and
- f) information available on the School's website.

9. I note here that the faith body informed me: "Although the school has a church foundation and is located within the Diocese of Worcester, it is not a Church of England

School. We have no role in governance, land or building ownership, funding and the school doesn't feature within our statutory section 48 inspections."

10. The governing body provided me with a copy of the designation (dated 2004) of the School by the Department for Education as having a Church of England religious character. I have not explored this matter further as the School has not used faith based oversubscription criteria.

Background

11. The School was last inspected by Ofsted in 2022 and judged to be good. The governing body explained that it is a partially selective school. The School provides education for children between the ages of 11 and 18. Places are provided at the School for children in the following ways:

- a. 'day' places.
- b. flexi-boarders, the arrangements say, "do everything that tailored boarders do except routinely stay overnight. They are required to stay 3-4 times per term. On other occasions they may arrive for breakfast and may depart after the end of prep. They are full members of a boarding house with access to all of its facilities. They are provided with accommodation in the form of work and storage areas and a bed when required."
- c. Tailored board places: the arrangements say that students with these places: "reside at the School for a number of days and nights of each term, except over half-term. Boarding arrangements can be adapted to suit the needs of the pupil and their families; the number of nights is arranged between the parent and the School and need not be the same number of nights or specific nights each week."

12. There are separate oversubscription criteria and separate published admission numbers (PANs) for day and boarding places at the School. The PAN for day places is 46 and the oversubscription criteria (which are used if there are more applicants than places) for day places can be summarised as:

- 1) Looked after and previously looked after children
- 2) Children attending a named feeder school
- 3) Children eligible for the service pupil premium
- 4) Children eligible for the pupil premium
- 5) Children with a sibling at the School
- 6) Children of staff.

13. There is one PAN for flexi-boarding and full board places, 134. However, the arrangements say, “The School may admit up to 134 boarders. It may admit up to 70 boarders on a tailored boarding basis. The number of flexi-boarders is limited to 64.” There are equal numbers of boarding places for girls and boys. Every child applying for a boarding place is assessed for their suitability for boarding.

14. There are separate oversubscription criteria for flexi-boarder and full boarder places. The ‘additional’ oversubscription criteria for flexi-boarder places are (in summary):

- 1) 48 places (24 each for girls and boys) for academic ability via an assessment test with places offered in rank order; and
- 2) 16 places by aptitude with eight places for sport (four each for girls and boys) and eight places for music (four each for girls and boys).

15. The oversubscription criteria for full board places are (in summary):

- 1) Looked after and previously looked after children
- 2) Children of members of the UK Armed Forces who qualify for Ministry of Defence financial assistance with the cost of boarding school fees
- 3) Children who have satisfied the Governors that they have a significant degree of boarding need
- 4) Children who are eligible for the service pupil premium
- 5) Children who are eligible for the pupil premium
- 6) Children with a sibling at the School
- 7) Children of staff
- 8) Children admitted via a random ballot.

16. The governing body told me, on 23 July 2026, that the number of children at the school was as set out in Table 1.

Table 1: number of children at the School

	Day	Flexi-board	Full board	Totals
Year 7	48	64	51	163
Year 8	49	65	56	170
Year 9	47	63	48	158
Year 10	46	61	37	144
Year 11	48	56	46	150
Totals	238	309	238	785

Consideration of Case

17. There are several elements to the objection which are largely to do with clarity. Paragraph 14 of the Code is therefore relevant and says:

“In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear, and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.”

18. Paragraph 1.8 of the Code also requires oversubscription criteria to be clear. I will take each element of the objection in the order of the objection.

The information about admissions to year 11 is not clear

19. The objector quoted the School’s website in the objection which says:

“We can consider In-Year and Other Year applications to Years 7, 8, 9 and 10 depending on capacity.”

20. The objector said that: “This implies that the school will not allow in-year or other year applications for Year 11.”

21. The arrangements say:

“Parents can apply for places in Years which are not principal Years of admission (Years 8-11).”

22. The governing body acknowledged that its website was inaccurate and expressed its willingness to address this matter. The contents of the website are not part of the admission arrangements, but will be misleading and makes the arrangements unclear as there is inconsistency. I uphold this part of the objection.

The governing body may not admit a child into years 10, 11 or 13 if the curriculum previously followed is different, which may not meet the requirements of the Code

23. The relevant part of the arrangements says:

“The School will consider all applications for in-year admissions but may refuse admission where the Year group is oversubscribed and to admit further pupils would be prejudicial to the provision of efficient education and/or use of resources within that year group, the school or in boarding. Applications for places in Years 10,11 and 13 will have regard to the compatibility of the exam board and syllabus teaching plan compared to the same in this school.”

24. The objector said:

“While the school’s inability to match syllabus and exam board could possibly be judged by the admission authority, when they consider an application, to cause prejudice to the provision of efficient education, because an applicant may require

considerable additional support to “catch up”, the school’s statement strongly suggests that applicants who have not followed their own curriculum may be refused solely because of this.”

25. Paragraph 2.28c) of the Code is relevant and says:

“With the exception of designated grammar schools, all maintained schools, and academies, including schools designated with a religious character, that have places available **must** offer a place to every child who has applied for one, without condition or the use of any oversubscription criteria, unless admitting the child would prejudice the efficient provision of education or use of resources. For example, admission authorities **must not** refuse to admit a child solely because:...

c) they have followed a different curriculum at their previous school”.

26. The governing body said in response to the objection:

“Our policy states (10.13 and 10.19) that the School will consider all applications but may refuse admission where to admit further pupils would be prejudicial to the provision of efficient education and/or use of resources within that year group, the school or in boarding and as part of this consideration will have regard, for entry into examination Year groups, to the compatibility of the exam board and syllabus teaching plan followed compared to the same in this school. Our processes have regard to different curriculum paths but we do not state that it will be a limiting factor, indeed, we have examples of pupils joining in examination years and, because transition at this point may be complex, we consider and deal with each application on an individual basis so as to find the right solution with each family for their child.”

27. The arrangements say that the governing body will take into consideration “the compatibility of the exam board and syllabus teaching plan compared to the same in this school ” when considering an application for admission. This is not part of the oversubscription criteria and should not be taken into account. I uphold this part of the objection.

The information on the withdrawal of an offer of admission is not clear or may not meet the requirements of the Code

28. The arrangements say:

“We reserve the right to withdraw the offer of a place where it has been offered in error or parents/carers have not responded within the time stated in the offer letter or it is found that the offer was obtained through a fraudulent or intentionally misleading application. We also reserve the right to withdraw a place after a pupil has started at the School where that place was fraudulently obtained.”

29. The objector said:

“The admission authority must give parents more than one opportunity to respond to an offer and explain that if they do not respond to this further reminder, the place may be withdrawn. It also fails to mention that parents have the right to submit a further application should an offer be withdrawn where it was originally offered on the basis of misleading information, and fails to mention that the length of time the child has been at the school must be taken into consideration.”

30. Paragraphs 2.13 and 2.14 of the Code are relevant and says:

“2.13 An admission authority **must not** withdraw an offer unless it has been offered in error, a parent has not responded within a reasonable period of time, or it is established that the offer was obtained through a fraudulent or intentionally misleading application. Where the parent has not responded to the offer, the admission authority **must** give the parent a further opportunity to respond and explain that the offer may be withdrawn if they do not. Where an offer is withdrawn on the basis of misleading information, the application **must** be considered afresh, and a right of appeal offered if an offer is refused.

2.14 A school **must not** withdraw a place once a child has started at the school, except where that place was fraudulently obtained. In deciding whether to withdraw the place, the length of time that the child has been at the school must be taken into account. For example, it might be considered appropriate to withdraw the place if the child has been at the school for less than one term.”

31. The governing body said:

“Our position on withdrawing an offer is clear. We reserve the right to withdraw the offer of a place where it has been offered in error or parents/carers have not responded within the time stated in the offer letter or it is found that the offer was obtained through a fraudulent or intentionally misleading application. We also reserve the right to withdraw a place after a pupil has started at the School where that place was fraudulently obtained. Where an offer of a place is at risk of being withdrawn because parents have not responded in the time scale indicated in the offer letter, our process ensures they receive more than one communication reminding them of this. The log on the admissions software records this and it is also possible to see that a parent has received the communication. We believe our policy sufficiently outlines the general arrangement.”

32. The arrangements do outline the general approach. The Code does not require the arrangements to describe all the processes involved. It may be helpful to parents to include

the information described by the objector but it is not required by the Code. I do not uphold this part of the objection.

The information on how the home address is determined is not clear where:

- a) parents who are not in agreement on their preferences for their child; and**
- b) parents who are separated with shared responsibility for the child**

33. The arrangements say in relation to the admission of day places: “The final oversubscription criteria will be children whose normal place of residence as determined by a straight line measurement in metres lies closest to the main entrance to the School in Heath Lane.”

34. Footnote 19 to this paragraph says:

“Parents may be required to provide evidence in support of their child’s normal place of residence at the time of application. If the parents do not live together, ‘normal’ place of residence will be taken as residence of the parent/carers with whom the child spends the majority of the time. An application can only be made from a single address, and only a single application can be made for each child.”

35. The objector said that this:

“prevents a parent who is not in agreement with the other parent from exercising their own individual right to express a preference for a school, independently of the other parent. In reality where two different preferences are expressed the admission authority or authorities, or the Local Authority, may advise the parents to reach a resolution, if necessary by legal means, before the application(s) can be processed.

In addition, there is no explanation of how an application for a child whose care is shared equally 50/50 with each parent will be dealt with, nor how “the majority of the time” is defined – for example whether this is during term-time only, or throughout the year.”

36. Paragraph 1.13 of the Code says (as far as it relevant here):

“Admission authorities **must** clearly set out how distance from home to the school...used in the arrangements will be measured. This must include making clear how the ‘home’ address will be determined and the point(s) in the school...from which all distances will be measured. This should include provision for cases where parents have shared responsibility for a child following the breakdown of their relationship and the child lives for part of the week with each parent.”

37. The governing body said:

“Unless and until we are advised by parents that there is discord between them we are unable to identify such instances. If both parents independently chose our school then there would be agreement between them as they have both applied. The duplicate would be highlighted on our system at which point it would be followed up and home arrangements clarified. It is most likely however that we would only become aware of discord when they come to the attention of the Local Authority as part of their checks during the co-ordinated admissions process and when they are reconciling to establish that each child is allocated only one school place. It would therefore be through the Local Authority that this would be resolved.”

38. It is the responsibility of the admission authority to define how the home address will be determined and the arrangements are required to state how this will be achieved when parents have shared responsibility for the child. Most of the time this is clear but not always and the arrangements must state how the home address will be determined when parents share the care of the child. This will normally refer to where the child sleeps during the school week at the very least. The use of a term such as: “the child spends the majority of the time” is not clear as it is not clear what time is relevant and it is not clear what occurs when the parents have equal time with the child. I uphold this part of the objection.

39. However, I am aware of nothing in the Code or regulations that require admission arrangements to state that a parent who is not in agreement with the other parent has the right to exercise their own individual right to express a preference for a school, independently of the other parent. I do not uphold this part of the objection.

The information on admission outside the normal age group says that this is the headteacher’s decision alone, which would not be compatible with the Code

40. Paragraph 2.7 of the Code says:

“A decision to offer or refuse admission **must not** be made by one individual in an admission authority.”

41. Paragraph 2.19 of the Code, regarding admission outside the normal age group, says:

“Admission authorities **must** make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent’s views; information about the child’s academic, social, and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They **must** also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on

the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision.”

42. The arrangements say:

“If the Headmaster considers admission outside of a child’s normal age group is in the best interests of the child then the application will be entered into the normal admissions process and be treated the same as all other applications including, in the case of an application for a boarding place, for suitability to board.”

43. The objector said:

“This indicates therefore that the decision to admit a child to a year group outside their normal age group will be the Headmaster’s decision alone.”

44. The governing body said:

“The decision on awarding a place still rests with the Governing Body, in this case, having regard to the advice of the Headmaster.”

45. Assuming that the headteacher considers all the evidence listed in the Code as relevant, the headteacher is in a position to advise the governing body on the admission of a child outside their normal age group. The actual admission is agreed through the normal admissions process and therefore is not made by one person. I do not uphold this part of the objection.

The information on the priority for children of staff in the oversubscription criteria is not clear.

46. Paragraphs 1.39 and 1.40 of the Code say:

“1.39 Admission authorities may give priority in their oversubscription criteria to children of staff in either or both of the following circumstances:

a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made; and/or

b) the member of staff is recruited to fill a vacant post at the school for which there is a demonstrable skill shortage.

1.40 Admissions authorities **must** specify in their admission arrangements how this priority will be applied, for example, which groups of staff it will apply to.”

47. The oversubscription criteria for arrangements give priority to children of staff and footnote 17 in the arrangements says:

“Children of staff where the member of staff has been employed at the School for two or more years at the time at which the application for admission to the School is made, and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.”

48. The objector said:

“There is no indication in the admission policy of which groups of staff this applies to and whether it includes teaching as well as support staff, full-time or part-time, permanent or temporary etc.”

49. The governing body said:

“Our policy does not differentiate between staff, it applies to all staff; each of them has value in our community and all are treated equally, subject to meeting the criteria in paragraph 19 of the Code which is embedded as footnote 17 in our policy.”

50. It could be assumed that ‘staff’, if not defined further, applied to all staff. However, paragraph 1.40 of the Code does require further definition than is provided in the arrangements in order to be clear and I uphold this part of the objection.

The information on tailored boarding need is not clear regarding children of armed forces personnel and crown servants

51. The objector said:

“The school’s admission policy states only in footnote 13, and only in respect of Tailored Boarding places:

“13 Parents will be asked to demonstrate boarding need and the degree of boarding need. This may include for example, but not be limited to, children of Crown Servants and other parents/carers working abroad, children who ordinarily live in remote locations and children at risk or with an unstable home environment or other family circumstance which generates a need that may best be met from an education in a boarding environment.”

Section 2.21 in the Admissions Code makes special provision for applications for children of armed forces personnel and crown servants returning from overseas. The inclusion of references to such children only in one specific category of admission (Tailored Boarding) is confusing and does not include families who are returning from overseas.”

52. Paragraph 2.21 in the Code says:

“For families of service personnel with a confirmed posting, or crown servants returning from overseas, admission authorities **must**:

- a) allocate a place in advance of the family arriving in the area (as long as one is available), provided the application is accompanied by an official letter that declares a relocation date. Admission authorities **must not** refuse to process an application and **must not** refuse a place solely because the family do not yet have an intended address, or do not yet live in the area.
- b) use the address at which the child will live when applying their oversubscription criteria, as long as the parents provide some evidence of their intended address. Admission authorities **must** use a Unit or quartering address as the child’s home address when considering the application against their oversubscription criteria, where a parent requests this.
- c) **not** reserve blocks of places for these children.
- d) ensure that arrangements in their area support the Government’s commitment to removing disadvantage for service children. Arrangements **must** be appropriate for the area and be described in the local authority’s composite prospectus.”

53. The governing body said:

“Footnote 13 refers to examples of boarding need where parents, in this example, are living abroad and have a need for their children to board so as to have, or continue to have, an education in the UK. Whereas, the quote from 2.21 of the Code refers to returning families. In terms of boarding need, a returning family may not have any boarding need and they are eligible and able to make an application to our school at any time and for whatever type of school place they choose. There is no part of our policy which suggests we would not welcome a returning family, or any family, as long as we have space available, in accordance with paragraph 2.21.”

54. Paragraph 2.21 is concerned with families returning from abroad and thus is not necessarily applicable to those with a boarding need. I do not uphold this part of the objection.

The information on tailored boarding need is not clear regarding other children

55. The objector refers to paragraph 1.9k of the Code and said:

“The school’s admission policy states in footnote 13, and only in respect of Tailored Boarding places: “13 Parents will be asked to demonstrate boarding need and the degree of boarding need.”

The school's policy appears to suggest that, by requiring the parents to demonstrate the degree of boarding need, this will be taken into consideration when ranking applicants."

56. Paragraph 1.9k) of the Code says:

"It is for admission authorities to formulate their admission arrangements, but they **must not**:... in the case of schools with boarding places, rank children on the basis of a child's suitability for boarding".

57. The oversubscription criteria of tailored boarding include criterion 9.2.2 for children: "Who have satisfied the Governors that they have a significant degree of boarding need". Footnote 13 to this criterion is:

"Parents will be asked to demonstrate boarding need and the degree of boarding need. This may include for example, but not be limited to, children of Crown Servants and other parents/carers working abroad, children who ordinarily live in remote locations and children at risk or with an unstable home environment or other family circumstance which generates a need that may best be met from an education in a boarding environment."

58. The governing body said:

"Some applications stating boarding need have circumstances that show they have greater need than others and where this is the case these would be allocated places first. Our list of examples in the FAQ document gives insight into some (but not all) relevant circumstances. Where there is no perceivable difference in need between applications, the remainder of the oversubscription criteria are applied, the final of these being random ballot."

59. Paragraph 1.44 of the Code says:

"Boarding schools **must** give priority in their oversubscription criteria in the following order:

- a) looked after children and previously looked after children;
- b) children of members of the UK Armed Forces who qualify for Ministry of Defence financial assistance with the cost of boarding school fees;
- c) children with a 'boarding need', making it clear what they mean by this."

The arrangements do have some clarification over what would be understood to be boarding need and this is appropriate. However, the arrangements either do not

comply with the Code in this matter as applicants are ranked in the order of need, or the arrangements are unclear. I uphold this aspect of the objection.

The information on the admission of children from overseas not clear.

60. The arrangements say:

“To be admitted to the School, pupils must have full United Kingdom nationality or other approved residential status in the United Kingdom.”

61. The objector referred to the ‘frequently asked questions’ provided on the School’s website, which say:

“we welcome children from all over the world as long as they have UK nationality or have other approved residential status within the UK.”

62. The objector said:

“This implies that children will be refused admission to the school on the basis of their immigration status. It is also unclear in giving no definition of what “other approved residential status” actually means. I object to this arrangement on the grounds that the Department for Education guidance states:

“The admission authorities for state-funded schools (maintained schools and academy schools) must not check the immigration or nationality status of foreign national children as a pre-condition for admission.

Admission authorities for state-funded schools:

- must not refuse to admit a child on the basis of their nationality or immigration status nor remove them from the roll on this basis”

and

“If a state-funded school or its admission authority is concerned that a child whose parents are seeking a place may not have a right, under their UK entry conditions, to enter the country to access a school, it must not deny them a place nor remove them from the school roll. Schools should advise parents to check their children’s rights (as set out in this guidance).”

63. Clearly the DfE guidance is not the Code. However, it is accepted that government guidance should be followed unless there is good reason to depart from it. If government guidance is not followed, without good reason, then arrangements can be deemed to be unreasonable.

64. The governing body said:

“Our policy clearly states we do not have a catchment area but equally makes it clear to parents that there are eligibility considerations for them to consider. We purposely refer to other approved residential status so that it can be encompassing of all relevant status. All applicants to the School are treated equally and follow the same process.

65. The DfE guidance also says:

“The admission authorities for state-funded schools (maintained schools and academy schools) must not check the immigration or nationality status of foreign national children as a pre-condition for admission.

Admission authorities for state-funded schools:

- must not refuse to admit a child on the basis of their nationality or immigration status nor remove them from the roll on this basis
- must not ask to see passports or other immigration information as a condition of admission (this would be a breach of paragraphs 1.9(a) and 2.8 of the [school admissions code](#))
- [with the exception of children who are Irish nationals](#), must not actively recruit foreign national children who are still resident overseas as pupils”.

66. I provide below paragraphs 1.9a) and 2.8 of the Code for the sake of clarity:

“1.9 a) It is for admission authorities to formulate their admission arrangements, but they **must not**: a) place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements”.

“2.8 With the exception of designated grammar schools, all maintained schools, and academies, including schools designated with a religious character, that have enough places available **must** offer a place to every child who has applied for one, without condition or the use of any oversubscription criteria.”

67. The arrangements do imply that children who do not have “full United Kingdom nationality or other approved residential status in the United Kingdom” will not be admitted as they welcome those who do. It is not for the admission authority to check this status. Perhaps the intention is to advise parents: “to check their children’s rights (as set out in this guidance)” but this is not what occurs and this makes the arrangements unclear. I uphold this part of the objection.

The information on waiting lists is not clear.

68. Paragraph 2.15 of the Code says:

“Each admission authority **must** maintain a clear, fair, and objective waiting list until at least 31 December of each school year of admission, stating in their arrangements that each added child will require the list to be ranked again in line with the published oversubscription criteria. Priority **must not** be given to children based on the date their application was received, or their name was added to the list. Looked after children or previously looked after children allocated a place at the school in accordance with a Fair Access Protocol **must** take precedence over those on a waiting list.

69. The arrangements say:

“The waiting list for Years 7 and 12 will operate from the point of allocation of places and continue. Children on the waiting list will be considered along with any new applications by the date when any vacancy occurs. The length of time on the waiting list is not material to whether or not a place is finally awarded. The place will be awarded according to the stated oversubscription criteria.”

70. The objector said: “It is not clear how long an applicant will remain on the list” and referred to paragraph 14 of the Code. The governing body said:

“Our policy is to maintain waiting lists without an end date, i.e. they continue. Under the Local Authority co-ordinated admission system, our Local Authority maintain Year 7 waiting lists for one year after the September entry date and advise us in making subsequent offers should a place become available. After that time the Local Authority pass the waiting lists to the School so that we can continue to offer from them, via the Governing Body, where a vacancy arises and add to them where parents ask to be added.”

71. I understand that the governing body means that the waiting list is continued indefinitely, or, one assumes, until the child has left school. The sentence: “The waiting list for Years 7 and 12 will operate from the point of allocation of places and continue”, does read as if something has been left out. This is especially the case as the arrangements only refer to year 7 and year 12. This reference would exclude a child for whom an application has been made in-year but include a year 11 child for whom an application was made in year 7. This seems unlikely. For these reasons, the information on waiting lists is unclear and I uphold this part of the objection.

Determination

72. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements determined by the governing body for Old Swinford Hospital for 2027/28.

73. By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of this determination.

Dated: 4 September 2026

Signed:

Schools Adjudicator: Deborah Pritchard